## REMARKS

Applicants submit this Supplemental Amendment in response to the Notice of Non-Compliant Amendment, dated March 28, 2008. The Supplemental Amendment corrects a status identifier in the Amendment filed February 25, 2008 to indicate that the claim 39 is currently amended. For at least the reasons stated below, Applicants submit the pending claims are in condition for allowance.

Claim 16 has been amended to support the claimed "system for synchronization," including processing elements or components operative to perform processing operations in response to executable instructions. Claim 32 has been amended to recite a computer readable medium having executable instructions, such that a processing device is operative to perform the recited processing steps in response to the executable instructions. These claims do not add any new matter beyond the specification as originally filed, merely re-emphasize the claimed subject matter to obviate the below-noted 35 U.S.C. §101 rejection. Claims 19-20, 35 and 37-39 have been amended to maintain consistency with claims 16 and 32. Claims 18, 33-34 and 40 have been cancelled. Accordingly, Applicants request entrance and examination of the presently amended claims.

Claims 16-17, 19-25, 32, and 35-39 stand rejected under 35 U.S.C. §101. In view of the above-noted amendments, Applicants submit this rejection is inapplicable as claims 16-17, 19-25, 32, and 35-39 are not directed to software per se, but rather recite a system (claim 16) and a computer readable medium (claim 32), which are consistent with patentable subject matter under 35 U.S.C.§101. Applicants therefore respectfully request withdrawal of the present rejection.

Claims 1 - 10, 16-17, 19-25, 32 and 35-40 stand rejected under 35 U.S.C.

§ 102(e) as being anticipated by U.S. Patent No. 7,107,589 ("Tal"). The Applicants

respectfully traverse and submit the rejection is improper as Tal fails to identically

disclose every claimed limitation of claims 1 - 10, 16-17, 19-25, 32 and 35-40.

In the Response to Arguments section on pages 2-3 of the present Office

Action, the Examiner responds to Applicants' previous positions regarding the

deficiencies of Tal. Applicants re-iterate that Tal describes <u>a software migration</u> system,

specifically the executable code and Tal is silent regarding database synchronization.

<u>1. Tal does not identically disclose determining changes made to a</u>

<u>schema of a first copy of the database</u>

In the Response to Arguments section, the Examiner points to col. 5, lines

46-55 of Tal as disclosing the noting of the changes made to the database and updating

the database, as well as col. 8, lines 1-15 of Tal as disclosing a log directory and log

event flags from which changes can be determined. Applicants respectfully disagree.

The Examiner-cited passage of col. 5, lines 46-55 describes the "migration

step types defined in the Schema Maint Step 230 entity include two subtypes: Data

Upgrade Step 233 and Generic Step 237." Tal therein discloses that a "Data Upgrade

Step 233 is a logical unit of work that covers on schema change" and "Generic Steps 237

refers to Schema Maintenance Steps that are not version specific." Consistent with Tal's

disclosure solely of software migration, this passage does **not** identically disclose

"determining changes made to a schema of a first copy of the database" because the

migration step types of Tal do not include determining any changes made to a first copy of the database.

Regarding the second cited passage of col. 8, lines 1-15, Applicants additionally disagree. The 15 line passage describes all the possible "end-user platform specific information" that may be included in the master configuration file. Applicants additionally note that the master configuration file 345 is disclosed as "only include[ing] references of necessary end-user platform specific information," and is **not** described as including information relating to "changes to a schema of a first copy of a database." Tal does not disclose that a log directory includes a log of the changes that are made to a database. Tal does not disclose the log events flag includes a log of the changes that are made to a database. Moreover, in addition to the failure of Tal to expressly disclose this information, Applicants note that even a disclosure of this information (to which Applicants **do not concede**), is wholly and entirely inconsistent with "determining changes."

### 2. Tal does not identically disclose sending the framework having the migration script incorporated therein to a location of one or more other copies of the database for executing to update the one or more other copies of the database

Tal does not disclose synchronizing or sending the framework to a location of one or more copies of the database for executing to update the one or more copies of the database because Tal is silent regarding updating a database and does not disclose the presence of copies or versions of any particular database.

In the Response to Arguments section, the Examiner again recites to Tal, col. 5, lines 46-55. Applicants respectfully disagree because Tal does not disclose sending the framework having the migration script incorporated therein to a location, but rather discloses the configuration repository 140 (col. 3, lines 41-52). Tal describes the configuration repository as a central location assessed by "software developers to check programming elements."

Applicants have previously noted a significant deficiency with Tal is that it relates solely to software and does not address database information as claimed. Similarly, Tal's focus on software versioning, using the configuration repository, discloses a system that does not have the processing operations or the need to send the framework with a migration script incorporated therein. Accordingly, Tal fails to identically disclose sending the framework having the migration script incorporated therein to a location of one or more other copies of the database for executing to update the one or more other copies of the database

### 3. Tal does not identically disclose updating one or more copies of a database

Applicants address this issue in No. 2 above, but provide the following in direct response to the Examiner's statement : "The database synchronization is only claimed in the preamble" on page 3, lines 3-4 of the Present Office Action. This statement overlooks the recited limitation that the framework having the migration script updates the one or more copies of the database. Tal is silent regarding various databases, as well additional features noted above, and accordingly Tal does not identically disclose updating one or more copies of a database.

Therefore, Applicants submit that claims 1, 16 and 32 recite patentable subject matter as claims 1, 16 and 32 are not anticipated by the disclosure of Tal.
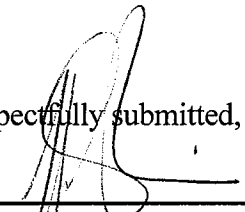
Claims 2–9, 17, 19-25 and 35–39 depend from claims 1, 16, and 32, respectively, and recite further patentable subject matter in view thereof. For at least the same reasons noted above regarding claims 1, 16 and 32, Applicant submits claims 2-9, 17, 19-25 and 35-39 are additionally patentable.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,

Dated: April 4, 2008

THIS CORRESPONDENCE IS BEING
SUBMITTED BY FACSIMILE TO THE
PATENT AND TRADEMARK OFFICE EFS
FILING SYSTEM ON April 4, 2008

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